

Senate Bill No. 2084

CHAPTER 861

An act to amend Section 13340 of, and to add Sections 29145 and 43402 to, the Government Code, to amend Sections 10752, 10753.1, 10753.2, and 10753.9 of, and to add Sections 225 and 11006 to, the Revenue and Taxation Code, and to amend Sections 260, 4000, 4004, 4150.1, 4458, 5000, 5011, 5014, 5015, 5016, 5017, 5101, 5103, 5106, 5108, 5204, 5301, 5302, 5305, 5902, 6275, 6285, 6291, 6293, 6367, 8000, 8054, 9250.7, 9250.8, 9250.10, 9250.13, 9250.14, 9250.19, 9260, 9261, 9400, 9406, 9408, 36010, and 36109 of, and to add Sections 288, 289, 468, 4000.6, 5014.1, 9400.1, 9406.1, 9554.2, 27910, and 42030.1 to, and to repeal Sections 6851 and 6851.5 of, and to amend and renumber Section 390 of, the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 28, 2000. Filed
with Secretary of State September 29, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2084, Polanco. Transportation.

(1) The Vehicle License Fee Law provides that the annual amount of the license fee for any vehicle is 2% of the market value of the vehicle, as specified. Also, provisions of existing law provide that the Legislature shall reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

The California Constitution authorizes the Legislature to classify personal property for differential taxation or for exemption by means of a statute approved by a $\frac{2}{3}$ vote of the membership of each house.

This bill would enact the Commercial Vehicle Registration Act of 2001 (the act). The bill would remove trailers and semitrailers from the Vehicle License Fee Law. Pursuant to this constitutional authorization, this bill would exempt from personal property taxation, a commercial motor vehicle or commercial trailer or semitrailer, as specified.

(2) Existing law prohibits a person from driving, moving, or leaving standing upon a highway, or in an offstreet public parking facility, any motor vehicle, trailer, semitrailer, pole or pipe dolly, logging dolly, or auxiliary dolly unless it is registered and the appropriate fees have been paid under the Vehicle Code.

This bill would require that any commercial motor vehicle, singly or in combination, that operates with a declared gross vehicle weight,



as defined, that exceeds 10,000 pounds be registered with the department. This bill would require a person submitting an application for registration of a commercial motor vehicle to declare the combined gross weight of all units when applying for registration with the department. The bill would also require the commercial motor vehicle's registered owner or the owner's designee to complete a form provided by the department and to be issued a license plate.

(3) Existing law provides that a fleet owner may make a certain declaration on a single form for all commercial motor vehicles registered in the fleet owner's name.

This bill would delete fleet owners from this provision and instead make the provision applicable to registered owners, lessors, or designees.

(4) Existing law provides for the issuance of identification plates for certain vehicles, including tow dollies.

The bill would delete tow dollies from that identification plates program and other provisions.

The bill would require, upon the implementation of the permanent trailer identification plate program, which shall commence on December 31, 2001, that specified trailers, including tow dollies, be assigned permanent trailer identification plates and be issued an identification certificate which shall be available for inspection by a peace officer. This bill would require the department to assess a service fee, not to exceed \$20, upon assigning a permanent trailer identification plate. This bill would require that an applicant for renewal of permanent trailer identification plates pay a \$25 annual fee. The bill would make corresponding changes.

(5) Under existing law, the registered owner or lessee of a fleet of vehicles consisting of motor vehicles or commercial trailers, as specified, or passenger automobiles is authorized to apply to the department for permanent license plates or decals and registration cards.

This bill would delete commercial trailers from that program, would limit the program to motor vehicles, would allow participation in the program to continue in the program for 5 years after implementation of the act even though those participants are out of compliance with the act, and would make related changes.

(6) Existing law allows the Reciprocity Commission to enter into agreements that provide exemption of regulatory fees that are, or may be imposed, by the Public Utilities Commission.

This bill would include regulatory fees that are, or may be imposed, by the department within the above provision.

(7) Existing law requires an application for a transfer of registration of commercial motor vehicles, as specified, to include a specified declaration by the owner to the department.



This bill would require, additionally, that an application for a transfer of a commercial motor vehicle that exceeds 10,000 pounds declared gross vehicle weight, include a notification, made by the new registered owner, or that owner's designee, of the declared gross vehicle weight of the commercial motor vehicle, singly or in combination.

(8) Existing law requires the department, upon the application for transfer of ownership of a fleet of vehicles apportionately registered to permit registration in the new owners name without reassessing the registration, weight, and vehicle license fees, if the application of the new ownership is for the same fleet interstate operation as the previous owner.

This bill would require the new owner, lessee, or their designee, to certify the declared gross vehicle weight of the vehicle or vehicles on a single form for all commercial motor vehicles registered in the fleet owner's or lessee's name and would impose related duties on the department.

(9) Existing law authorizes local governments to impose additional registration or renewal registration fees on vehicles, as specified.

This bill would exempt trailers and semitrailers from these provisions and would impose those additional fees on the owners of all commercial motor vehicles, as specified.

(10) Under existing law, the fee for a foreign trip permit issued for a commercial trailer meeting the registration requirements of a foreign jurisdiction is \$5.

This bill would delete that fee.

(11) Existing law requires, in addition to any other registration fee, the payment of fees for the registration of any commercial vehicle based on its unladen weight.

This bill would set forth an additional schedule. The existing schedule, as revised, would apply to any commercial vehicle singly, or in combination, that operates with a declared gross vehicle weight of 10,000 pounds or less, including pickup trucks. The new schedule of fees would apply to the registration of commercial motor vehicles, operated either singly or in combination, with a declared gross vehicle weight of 10,001 pounds or more. The new schedule would not include pickup truck weight fees. The bill would revise the definition of "farm trailers" to conform to the weight changes made by the bill.

The bill provides a schedule of fines for persons who violate any declared gross vehicle weight limitations provided for in the bill.

The bill would require that, upon the operation of a commercial motor vehicle at a greater gross vehicle weight than had been reported to and registered by the department, a new registration application be made to the department.



(12) The bill would require the Department of the California Highway Patrol, after consultation with representatives from the Department of Transportation, the Board of Equalization, the Department of Motor Vehicles, and the commercial vehicle industry, to provide, on or before an unspecified date, recommendations to the Legislature for actions to be taken to ensure compliance with the provisions of the bill.

(13) The bill would require the Department of Motor Vehicles, in consultation with the Department of the California Highway Patrol, the Department of Transportation, the Board of Equalization, and the commercial vehicle industry, to review and report on or before January 1, 2003, and annually thereafter, to the Legislature its findings and, if applicable, make any recommendation as to the necessary adjustments in the fee schedule, to ensure that revenue neutrality is obtained and maintained for all affected entities and funds. This bill would require the Controller, in consultation with the Department of Motor Vehicles and the Department of Finance, to recalculate the distribution of motor vehicle license fees paid by commercial vehicles pursuant to the gross vehicle weight fee schedule and transfer those sums, as specified. This bill would provide that the scheduled disbursement of motor vehicle license fee revenues is not subject to the existing law limitation that General Fund revenues may not be continuously appropriated beyond a certain date. This bill would create special funds in the General Fund which would be continuously appropriated for allocation to each county, city, and city and county in the same manner as those funds were received pursuant to specified provisions of the Vehicle License Fee Law. The bill would appropriate \$3,520,809 to the Department of Motor Vehicles from the Motor Vehicle Account in the State Transportation Fund for purposes of implementing the bill.

Because violations of certain of the above fee, weight, and declaration requirements would be a crime under existing law, the bill would impose a state-mandated local program by creating new crimes.

(14) This bill would incorporate additional changes in Section 5101 of the Vehicle Code proposed by AB 1515, to be operative only if this bill and AB 1515 are enacted and become effective on or before January 1, 2001, each bill amends Section 5101 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 5103 of the Vehicle Code proposed by AB 1515, to be operative only if this bill and AB 1515 are enacted and become effective on or before January 1, 2001, each bill amends Section 5103 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 9250.7 of the Vehicle Code proposed by SB 1333, to be operative only if this bill and SB 1333 are enacted and become effective on or before January



1, 2001, each bill amends Section 9250.7 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 9250.14 of the Vehicle Code proposed by AB 2227, to be operative only if this bill and AB 2227 are enacted and become effective on or before January 1, 2001, each bill amends Section 9250.14 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 9400 of the Vehicle Code proposed by AB 2749, to be operative only if this bill and AB 2749 are enacted and become effective on or before January 1, 2001, each bill amends Section 9400 of the Vehicle Code, and this bill is enacted last.

(15) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(16) This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that it is necessary to convert California's system of commercial vehicle registration from an unladen weight system to a gross vehicle weight system and to initiate a permanent trailer identification program. Furthermore, it is the intent of the Legislature that this conversion be revenue neutral to all cities and counties and all unladen weight fee system recipients.

(b) For the purposes of this act, "revenue neutrality" requires that all recipients of the fees collected under the system in effect on December 31, 2000, shall receive the same level of funding, with the same degree of flexibility, after the conversion to the system created by this act.

(c) This act shall be known, and may be cited as, the Commercial Vehicle Registration Act of 2001.

SEC. 2. Section 13340 of the Government Code is amended to read:

13340. (a) Except as provided in subdivision (b), on and after July 1, 2001, no moneys in that fund that, by any statute other than a Budget Act, is continuously appropriated without regard to fiscal years, may be encumbered unless the Legislature, by statute, specifies that the moneys in the fund are appropriated for encumbrance.

(b) Subdivision (a) does not apply to any of the following:



(1) The scheduled disbursement of any local sales and use tax proceeds to an entity of local government pursuant to Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code.

(2) The scheduled disbursement of any transactions and use tax proceeds to an entity of local government pursuant to Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code.

(3) The scheduled disbursement of any funds by a state or local agency or department that issues bonds and administers related programs for which funds are continuously appropriated as of June 30, 2001.

(4) Moneys that are deposited in proprietary or fiduciary funds of the California State University and that are continuously appropriated without regard to fiscal years.

(5) The scheduled disbursement of any motor vehicle license fee revenues, including the General Fund appropriations made pursuant to Sections 11000 and 11000.1 of the Revenue and Taxation Code, to an entity of local government pursuant to the Vehicle License Fee Law (Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code).

(6) The scheduled disbursement of any motor vehicle license fee revenues, including the General Fund appropriations made pursuant to Sections 11006 of the Revenue and Taxation Code, to an entity of local government pursuant to the Vehicle License Fee Law (Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code).

(7) The scheduled disbursement of moneys made pursuant to Section 29145.

(8) The scheduled disbursement of moneys made pursuant to Section 43402.

SEC. 3. Section 29145 is added to the Government Code, to read:

29145. (a) Commencing on December 31, 2001, the County Successor to Vehicle License Fee Resulting From IRP Conformity Account is hereby created as a special fund in the General Fund. All money in the County Successor to Vehicle License Fee Resulting From IRP Conformity Account is hereby continuously appropriated, without regard to fiscal years, to the Controller for allocation in accordance with subdivision (c).

(b) All of the following shall occur on a quarterly basis:

(1) The Department of Motor Vehicles, in consultation with the Department of Finance, shall estimate the revenues that represent the amount of vehicle license fees which would be paid by trailers and semitrailers pursuant to the Vehicle License Fee Law (Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code) had Sections 5014.1 and 9400.1 of the Vehicle Code not been enacted, which would be allocated to a county or city and



county pursuant to subdivision (d) of Section 11005 of the Revenue and Taxation Code.

(2) The Department of Motor Vehicles shall inform the Controller, in writing, of the amount estimated under paragraph (1).

(c) The Controller shall then transfer from the General Fund, on a quarterly basis to each county, including a city and county, from the total sums computed pursuant to subdivision (b) an amount which represents the total population of that county bears to the total population of all the counties in the state, as determined pursuant to subdivision (d) of Section 11005 of the Revenue and Taxation Code.

(d) Funds received by any county, or city and county pursuant to this section may be used by that county, or city and county in the same manner as if those funds were received pursuant to the provisions of subdivision (e) of Section 11005 of the Revenue and Taxation Code.

SEC. 4. Section 43402 is added to the Government Code, to read:

43402. (a) Commencing on December 31, 2001, the City Successor to Vehicle License Fee Resulting From IRP Conformity Account is hereby created as a special fund in the General Fund. All money in the City Successor to Vehicle License Fee Resulting From IRP Conformity Account is hereby continuously appropriated, without regard to fiscal years, to the Controller for allocation in accordance with subdivision (c).

(b) All of the following shall occur on a quarterly basis:

(1) The Department of Motor Vehicles, in consultation with the Department of Finance, shall estimate the revenues that represent the amount of vehicle license fees which would be paid by trailers and semitrailers pursuant to the Vehicle License Fee Law (Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code) had Sections 5014.1 and 9400.1 of the Vehicle Code not been enacted, which would be allocated to a city or city and county pursuant to subdivision (c) of Section 11005 of the Revenue and Taxation Code.

(2) The Department of Motor Vehicles shall inform the Controller, in writing, of the amount estimated under paragraph (1).

(c) The Controller shall then transfer from the General Fund, on a quarterly basis to each city, including a city and county, from the total sums computed pursuant to subdivision (b) an amount that represents the total population of that city bears to the total population of all the cities in the state, as determined pursuant to subdivision (c) of Section 11005 of the Revenue and Taxation Code.

(d) Funds received by any city pursuant to this section may be used by that city, or city and county in the same manner as if those funds were received pursuant to the provisions of subdivision (e) of Section 11005 of the Revenue and Taxation Code.

SEC. 5. Section 225 is added to the Revenue and Taxation Code, to read:



225. A trailer or semitrailer that has a valid identification plate issued to it pursuant to Section 5014.1 of the Vehicle Code is exempt from personal property taxation.

SEC. 6. Section 6275 of the Revenue and Taxation Code is amended to read:

6275. (a) Every person making any retail sale of a mobilehome or commercial coach required to be registered annually under the Health and Safety Code, or of a vehicle required to be registered under the Vehicle Code or subject to identification under Division 16.5 (commencing with Section 38000) of the Vehicle Code, or a vehicle that qualifies under the permanent trailer identification plate program pursuant to subdivision (a) of Section 5014.1 of the Vehicle Code, or of a vessel or an aircraft as defined in this article, is a retailer for the purposes of this part of the vehicle, vessel, or aircraft, regardless of whether he or she is a retailer by reason of other provisions of this part, unless another person is the retailer, as provided in subdivision (b).

(b) Every person, licensed or certificated under the Health and Safety Code or the Vehicle Code as a dealer, is the retailer of a mobilehome or commercial coach required to be registered annually under the Health and Safety Code or of a vehicle required to be registered under the Vehicle Code or subject to identification under Division 16.5 (commencing with Section 38000) of the Vehicle Code or a vehicle that qualifies under the permanent trailer identification plate program pursuant to subdivision (a) of Section 5014.1 of the Vehicle Code, when a retail sale of the vehicle is made through him or her and that person provides to the Department of Housing and Community Development or the Department of Motor Vehicles a notice of transfer with respect to the vehicle pursuant to Section 18080.5 of the Health and Safety Code or Section 5901 or Section 38200 of the Vehicle Code. That person shall hold a seller's permit and remit tax to the board with respect to those sales in the same manner as a dealer licensed or certificated under the Vehicle Code and making sales on his or her own account. For purposes of this subdivision, "sale" does not include a lease.

SEC. 6.1. Section 6285 of the Revenue and Taxation Code is amended to read:

6285. There are exempted from the taxes imposed by this part the gross receipts from the sale of and the storage, use, or other consumption in this state of a mobilehome or commercial coach required to be registered annually under the Health and Safety Code, or of a vehicle required to be registered under the Vehicle Code, or of a vehicle subject to identification under Division 16.5 (commencing with Section 38000) of the Vehicle Code, or a vehicle that qualifies under the permanent trailer identification plate program pursuant to subdivision (a) of Section 5014.1 of the Vehicle Code, or of a vessel or an aircraft, when either of the following occurs:



(a) The person selling the property is either the parent, grandparent, child, grandchild, or spouse, or the brother or sister if the sale between that brother or sister is between two minors related by blood or adoption, of the purchaser, and the person selling is not engaged in the business of selling the type of property for which the exemption is claimed.

(b) The sale is to a revocable trust in which all of the following occur:

(1) The seller has an unrestricted power to revoke the trust.

(2) The sale does not result in any change in the beneficial ownership of the property.

(3) The trust provides that upon revocation the property will revert wholly to the seller.

(4) The only consideration for the sale is the assumption by the trust of an existing loan for which the tangible personal property being transferred is the sole collateral for the assumed loan.

SEC. 6.2. Section 6291 of the Revenue and Taxation Code is amended to read:

6291. Notwithstanding Section 6451, the use taxes imposed by this part with respect to the storage, use or other consumption in this state of a mobilehome or commercial coach required to be registered annually under the Health and Safety Code, or of a vehicle required to be registered under the Vehicle Code, or of a vehicle subject to identification under Division 16.5 (commencing with Section 38000) of the Vehicle Code, or a vehicle that qualifies under the permanent trailer identification plate program pursuant to subdivision (a) of Section 5014.1 of the Vehicle Code, or of a vessel or an aircraft as defined in this chapter are due and payable by the purchaser at the time the storage, use, or other consumption of the property first becomes taxable. Delinquency penalties and interest with respect to use tax for mobilehomes or commercial coaches registered annually with the Department of Housing and Community Development or for vehicles registered with the Department of Motor Vehicles shall be as provided in Section 6292. Delinquency penalties and interest with respect to use tax for vehicles subject to identification under Division 16.5 (commencing with Section 38000) of the Vehicle Code or a vehicle that qualifies under the permanent trailer identification plate program pursuant to subdivision (a) of Section 5014.1 of the Vehicle Code shall be as provided in Section 6293. Delinquency penalties and interest with respect to use tax for vessels and aircraft shall be imposed as if the due date of the tax were fixed by Section 6451.

SEC. 6.3. Section 6293 of the Revenue and Taxation Code is amended to read:

6293. (a) Except when the sale is by lease, when a vehicle subject to identification under Division 16.5 (commencing with Section 38000) of the Vehicle Code or a vehicle that qualifies under the



permanent trailer identification plate program pursuant to subdivision (a) of Section 5014.1 of the Vehicle Code, is sold at retail by other than a person licensed or certificated pursuant to the Vehicle Code as a manufacturer, remanufacturer, dealer, dismantler, or lessor-retailer, subject to Section 11615.5 of the Vehicle Code, or a person required to hold a seller's permit pursuant to Article 2 (commencing with Section 6066) of Chapter 2 by reason of the number, scope, and character of his or her sales of those vehicles, the retailer is not required or authorized to collect the use tax from the purchaser, but the purchaser of the vehicle shall pay the use tax to the Department of Motor Vehicles acting for and on behalf of the board pursuant to Section 38211 of the Vehicle Code.

(b) If the purchaser makes an application to that department which is not timely, and is subject to penalty because of delinquency in effecting identification or transfer of ownership of the vehicle, he or she then becomes liable also for penalty as specified in Section 6591 of this code, but no interest shall accrue.

(c) Application to that department by the purchaser relieves the purchaser of the obligation to file a return with the board under Section 6452.

(d) If the purchaser does not make application to that department, or does not pay the amount of use tax due, or files a return with the board under Section 6455 which is not timely, interest and penalties shall apply with respect to the unpaid amount as provided in Chapter 5 (commencing with Section 6451).

SEC. 6.4. Section 6367 of the Revenue and Taxation Code is amended to read:

6367. There are exempted from the taxes imposed by this part the gross receipts from occasional sales of tangible personal property and the storage, use, or other consumption in this state of tangible personal property, the transfer of which to the purchaser is an occasional sale. This exemption does not apply to the gross receipts from the sale of, or to the storage, use, or other consumption in this state of, a mobilehome or commercial coach required to be annually registered under the Health and Safety Code, a vessel or aircraft, as defined in Article 1 (commencing with Section 6271) of Chapter 3.5 of this part, or a vehicle required to be registered under the Vehicle Code or a vehicle required to be identified under Division 16.5 (commencing with Section 38000) of the Vehicle Code or a vehicle that qualifies under the permanent trailer identification plate program pursuant to subdivision (a) of Section 5014.1 of the Vehicle Code. This section shall not preclude the exemption afforded under Section 6281.

SEC. 6.8. Section 10752 of the Revenue and Taxation Code is amended to read:

10752. The annual amount of the license fee for any vehicle, other than a trailer or semitrailer or a trailer coach that is required to be



moved under permit as authorized in Section 35790 of the Vehicle Code, shall be a sum equal to 2 percent of the market value of the vehicle as determined by the department.

SEC. 7. Section 10753.1 of the Revenue and Taxation Code is amended to read:

10753.1. (a) After determining the cost price to the purchaser, as provided in this article, the department shall classify or reclassify every vehicle in its proper class according to the classification plan set forth in this section.

(b) For the purpose of this part, a classification plan is established consisting of the following classes: a class from zero dollars (\$0) to and including forty-nine dollars and ninety-nine cents (\$49.99); a class from fifty dollars (\$50) to and including one hundred ninety-nine dollars and ninety-nine cents (\$199.99); and, thereafter, a series of classes successively set up in brackets having a spread of two hundred dollars (\$200), consisting of that number of classes as will permit classification of all vehicles.

(c) The market value of a vehicle, other than a trailer or semitrailer, for each registration year, starting with the year the vehicle was first sold to a consumer as a new vehicle, or the year the vehicle was first purchased or assembled by the person applying for original registration in this state, or the year the vehicle was sold to the current registered owner as a used vehicle, shall be as follows: for the first year, 85 percent of a sum equal to the middle point between the extremes of its class as established in subdivision (b); for the second year, 85 percent of that sum; for the third year, 70 percent of that sum; for the fourth year, 55 percent of that sum; for the fifth year, 40 percent of that sum; for the sixth year, 30 percent of that sum; for the seventh year, 25 percent of that sum; for the eighth year, 15 percent of that sum; for the ninth year, 10 percent of that sum; and for the 10th year and each succeeding year, 5 percent of that sum; provided, however, that the minimum tax shall be the sum of one dollar (\$1). Notwithstanding this subdivision, the market value of a trailer coach first sold on and after January 1, 1966, which is required to be moved under permit as authorized in Section 35790 of the Vehicle Code, shall be determined by the schedule in Section 10753.3.

(d) This section shall become operative on the first day of the month following the month in which the Department of Motor Vehicles is notified by the Department of Finance of a final judicial determination by the California Supreme Court or any California court of appeal of either of the following:

(1) The allocation of funds from the Vehicle License Fee Account or the Vehicle License Fee Growth Account of the Local Revenue Fund established during the 1991-92 Regular Session is in violation of Section 15 of Article XI of the California Constitution.



(2) The state is obligated to reimburse counties for costs of providing medical services to medically indigent adults pursuant to Chapters 328 and 1594 of the Statutes of 1982.

SEC. 8. Section 10753.2 of the Revenue and Taxation Code is amended to read:

10753.2. (a) After determining the cost price to the purchaser, as provided in this article, the department shall classify or reclassify every vehicle, other than a trailer or semitrailer, in its proper class according to the classification plan set forth in this section.

(b) For the purpose of this part, a classification plan is established consisting of the following classes: a class from zero dollars (\$0) to and including forty-nine dollars and ninety-nine cents (\$49.99); a class from fifty dollars (\$50) to and including one hundred ninety-nine dollars and ninety-nine cents (\$199.99); and thereafter a series of classes successively set up in brackets having a spread of two hundred dollars (\$200), consisting of a number of classes that will permit classification of all vehicles.

(c) The market value of a vehicle, other than a trailer or semitrailer, for each registration year, starting with the year the vehicle was first sold to a consumer as a new vehicle, or the year the vehicle was first purchased or assembled by the person applying for original registration in this state, or the year the vehicle was sold to the current registered owner as a used vehicle, shall be as follows: for the first year, 100 percent of a sum equal to the middle point between the extremes of its class as established in subdivision (b); for the second year, 90 percent of that sum; for the third year, 80 percent of that sum; for the fourth year, 70 percent of that sum; for the fifth year, 60 percent of that sum; for the sixth year, 50 percent of that sum; for the seventh year, 40 percent of that sum; for the eighth year, 30 percent of that sum; for the ninth year, 25 percent of that sum; and for the 10th year, 20 percent of that sum; and for the 11th year and each succeeding year, 15 percent of that sum; provided, however, that the minimum tax shall be the sum of one dollar (\$1). Notwithstanding this subdivision, the market value of a trailer coach first sold on and after January 1, 1966, which is required to be moved under permit as authorized in Section 35790 of the Vehicle Code, shall be determined by the schedule in Section 10753.3.

(d) This section shall cease to be operative on the first day of the month following the month in which the Department of Motor Vehicles is notified by the Department of Finance of a final judicial determination by the California Supreme Court or any California court of appeal of either of the following:

(1) The allocation of funds from the Vehicle License Fee Account or the Vehicle License Fee Growth Account of the Local Revenue Fund established during the 1991–92 Regular Session is in violation of Section 15 of Article XI of the California Constitution.



(2) The state is obligated to reimburse counties for costs of providing medical services to medically indigent adults pursuant to Chapters 328 and 1594 of the Statutes of 1982.

SEC. 9. Section 10753.9 of the Revenue and Taxation Code is amended to read:

10753.9. (a) After determining the cost price to the purchaser, as provided in this article, the department shall classify or reclassify every vehicle, other than a trailer or semitrailer, in its proper class according to the classification plan set forth in this section.

(b) For the purpose of this part, a classification plan is established consisting of the following classes: a class from zero dollars (\$0) to and including forty-nine dollars and ninety-nine cents (\$49.99); a class from fifty dollars (\$50) to and including one hundred ninety-nine dollars and ninety-nine cents (\$199.99); and thereafter a series of classes successively set up in brackets having a spread of two hundred dollars (\$200), consisting of that number of classes as will permit classification of all vehicles.

(c) The market value of a vehicle, other than a trailer or semitrailer, for each registration year, starting with the year the vehicle was first sold to a consumer as a new vehicle, or the year the vehicle was first purchased or assembled by the person applying for original registration in this state, or the year ownership of a used vehicle was sold or transferred to the current registered owner, shall be as follows: for the first year, 85 percent of a sum equal to the middle point between the extremes of its class as established in subdivision (b); for the second year, 85 percent of that sum; for the third year, 70 percent of that sum; for the fourth year, 55 percent of that sum; for the fifth year, 40 percent of that sum; for the sixth year, 30 percent of that sum; for the seventh year, 25 percent of that sum; for the eighth year, 15 percent of that sum; for the ninth year, 10 percent of that sum; for the 10th year and each succeeding year, 5 percent of that sum; provided, however, that the minimum tax shall be the sum of one dollar (\$1). Notwithstanding this subdivision, the market value of a trailer coach first sold on and after January 1, 1966, which is required to be moved under permit as authorized in Section 35790 of the Vehicle Code, shall be determined by the schedule in Section 10753.3.

(d) This section shall become operative and shall apply to both of the following:

(1) Initial or original registration of any vehicle never before registered in this state for which fees become due on July 15, 1991, and on or before July 31, 1991.

(2) Renewal of registration of any vehicle whose registration expires on or before July 31, 1991.

SEC. 10. Section 11006 is added to the Revenue and Taxation Code, to read:



11006. (a) Commencing on December 31, 2001, the Controller, in consultation with the Department of Motor Vehicles and the Department of Finance, shall recalculate the distribution of the amount of motor vehicle license fees paid by commercial vehicles that are subject to Section 9400.1 of the Vehicle Code and transfer those sums as follows in the following order:

(1) An amount sufficient to cover all allocations and interception of funds associated with all pledges, liens, encumbrances and priorities as set forth in Section 25350.6 of the Government Code, which shall be transferred so as to pay that allocation.

(2) An amount sufficient to continue allocations to the State Treasury to the credit of the Vehicle License Fee Account of the Local Revenue Fund, as established pursuant to Section 17600 of the Welfare and Institutions Code, which would be in the same amount had the amendments made to Section 10752 of the Revenue and Taxation Code made by the act that added this section had not been enacted, which shall be deposited in the State Treasury to the credit of the Vehicle License Fee Account Local Revenue Fund of the Local Revenue Fund, as established pursuant to Section 17600 of the Welfare and Institutions Code.

(3) An amount sufficient to continue allocations to the State Treasury to the credit of the Vehicle License Fee Growth Account of the Local Revenue Fund, as established pursuant to Section 17604 of the Welfare and Institutions Code, which would be in the same amount had the amendments made to Section 10752 of the Revenue and Taxation Code made by the act that added this section had not been enacted, which shall be deposited in the State Treasury to the credit of the Vehicle License Fee Growth Account of the Local Revenue Fund, as established pursuant to Section 17604 of the Welfare and Institutions Code.

(4) An amount sufficient to cover all allocations and interception of funds associated with all pledges, liens, encumbrances and priorities, other than those referred to in paragraph (1), as set forth in Section 25350 and following of, Section 53584 and following of, 5450 and following of, the Government Code, which shall be transferred so as to pay those allocations.

(b) The balance of any funds not otherwise allocated pursuant to subdivision (a) shall continue to be deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund and allocated to each city, county, and city and county as otherwise provided by law.

(c) In enacting paragraphs (1) and (4) of subdivision (a), the Legislature declares that paragraphs (1) and (4) of subdivision (a), shall not be construed to obligate the State of California to make any payment to a city, city and county, or county from the Motor Vehicle License Fee Account in the Transportation Tax Fund in any amount or pursuant to any particular allocation formula, or to make any other



payment to a city, city and county, or county, including, but not limited to, any payment in satisfaction of any debt or liability incurred or so guaranteed if the State of California had not so bound itself prior to the enactment of this section.

SEC. 11. Section 260 of the Vehicle Code is amended to read:

260. (a) A “commercial vehicle” is a motor vehicle of a type required to be registered under this code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.

(b) Passenger vehicles which are not used for the transportation of persons for hire, compensation, or profit and housecars are not commercial vehicles. This subdivision shall not apply to Chapter 4 (commencing with Section 6700) of Division 3.

(c) Any vanpool vehicle is not a commercial vehicle.

(d) The definition of a commercial vehicle in this section does not apply to Chapter 7 (commencing with Section 15200) of Division 6.

SEC. 12. Section 288 is added to the Vehicle Code, to read:

288. “Declared combined gross weight” equals the total unladen weight of the combination of vehicles plus the heaviest load that will be transported by that combination of vehicles.

SEC. 13. Section 289 is added to the Vehicle Code, to read:

289. “Declared gross vehicle weight” means weight that equals the total unladen weight of the vehicle plus the heaviest load that will be transported on the vehicle.

SEC. 14. Section 390 of the Vehicle Code is amended and renumbered to read:

350. (a) “Gross vehicle weight rating” (GVWR) means the weight specified by the manufacturer as the loaded weight of a single vehicle.

(b) Gross combination weight rating (GCWR) means the weight specified by the manufacturer as the loaded weight of a combination or articulated vehicle. In the absence of a weight specified by the manufacturer, GCWR shall be determined by adding the GVWR of the power unit and the total unladen weight of the towed units and any load thereon.

SEC. 15. Section 468 is added to the Vehicle Code, to read:

468. The department shall commence the “permanent trailer identification plate program,” on or after December 31, 2001, and may designate the method, consistent with this code, to be used by trailers, as defined in Section 5014.1, to receive an assigned permanent trailer identification plate for all trailers, except for trailer coaches and park trailers as described in subdivision (b) of Section 18010 of the Health and Safety Code, for identification purposes. An auxiliary dolly or tow dolly may be assigned a permanent trailer identification plate. The plate shall be in a size and design as determined by the department.



SEC. 16. Section 4000 of the Vehicle Code is amended to read:

4000. (a) (1) No person shall drive, move, or leave standing upon a highway, or in an offstreet public parking facility, any motor vehicle, trailer, semitrailer, pole or pipe dolly, or logging dolly, unless it is registered and the appropriate fees have been paid under this code or registered under the permanent trailer identification program, except that an off-highway motor vehicle which displays an identification plate or device issued by the department pursuant to Section 38010 may be driven, moved, or left standing in an offstreet public parking facility without being registered or paying registration fees.

(2) For purposes of this subdivision, “offstreet public parking facility” means either of the following:

(A) Any publicly owned parking facility.

(B) Any privately owned parking facility for which no fee for the privilege to park is charged and which is held open for the common public use of retail customers.

(3) This subdivision does not apply to any motor vehicle stored in a privately owned offstreet parking facility by, or with the express permission of, the owner of the privately owned offstreet parking facility.

(b) No person shall drive, move, or leave standing upon a highway any motor vehicle, as defined in Chapter 2 (commencing with Section 39010) of Part 1 of Division 26 of the Health and Safety Code, which has been registered in violation of Part 5 (commencing with Section 43000) of that Division 26.

(c) Subdivisions (a) and (b) do not apply to off-highway motor vehicles operated pursuant to Sections 38025 and 38026.5.

(d) This section does not apply, following payment of fees due for registration, during the time that registration and transfer is being withheld by the department pending the investigation of any use tax due under the Revenue and Taxation Code.

(e) Subdivision (a) does not apply to a vehicle that is towed by a tow truck on the order of a sheriff, marshal, or other official acting pursuant to a court order or on the order of a peace officer acting pursuant to this code.

(f) Subdivision (a) applies to a vehicle that is towed from a highway or offstreet parking facility under the direction of a highway service organization when that organization is providing emergency roadside assistance to that vehicle. However, the operator of a tow truck providing that assistance to that vehicle is not responsible for the violation of subdivision (a) with respect to that vehicle. The owner of an unregistered vehicle that is disabled and located on private property, shall obtain a permit from the department pursuant to Section 4003 prior to having the vehicle towed on the highway.



(g) For purposes of this section, possession of a California driver's license by the registered owner of a vehicle shall give rise to a rebuttable presumption that the owner is a resident of California.

SEC. 17. Section 4000.6 is added to the Vehicle Code, to read:

4000.6. Any commercial motor vehicle, singly or in combination, that operates with a declared gross vehicle weight that exceeds 10,000 pounds shall be registered pursuant to Section 9400.1.

(a) A person submitting an application for registration of a commercial motor vehicle operated in combination with a semitrailer, trailer, or any combination thereof, shall include the declared combined gross weight of all units when applying for registration with the department.

(b) This section does not apply to pickups nor to any commercial motor vehicle or combination that does not exceed 10,000 pounds gross vehicle weight.

(c) Any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, having reason to believe that a motor vehicle, singly or in combination, is being operated in excess of its registered declared gross vehicle weight, may require the driver to stop and submit to an inspection or weighing of the vehicle or vehicles and an inspection of registration documents.

SEC. 18. Section 4004 of the Vehicle Code is amended to read:

4004. (a) (1) Commercial motor vehicles meeting the registration requirements of a foreign jurisdiction, and subject to registration but not entitled to exemption from registration or licensing under any of the provisions of this code or any agreements, arrangements, or declarations made under Article 3 (commencing with Section 8000) of Chapter 4, may, as an alternate to registration, secure a temporary registration to operate in this state for a period of not to exceed 90 days, or a trip permit to operate in this state for a period of four consecutive days.

(2) Each trip permit shall authorize the operation of a single commercial motor vehicle for a period of not more than four consecutive days, commencing with the day of first use and three consecutive days thereafter. Every permit shall identify, as the department may require, the commercial motor vehicle for which it is issued. Each trip permit shall be completed prior to operation of the commercial motor vehicle on any highway in this state and shall be carried in the commercial motor vehicle to which it applies and shall be readily available for inspection by a peace officer. Each permit shall be valid at the time of inspection by a peace officer only if it has been completed as required by the department and has been placed in the appropriate receptacle as required by this section. It is unlawful for any person to fail to comply with the provisions of this section.



(b) The privilege of securing and using a trip permit or a temporary registration not to exceed 90 days shall not extend to the following:

(1) Any vehicle which is based within this state and which is operated by a person having an established place of business within this state. For purposes of this paragraph, a commercial motor vehicle shall be considered to be based in this state if it is primarily operated or dispatched from or principally garaged or serviced or maintained at a site with an address within this state.

(2) Vehicles registered in any jurisdiction with which the State of California does not have vehicle licensing reciprocity, unless the Reciprocity Commission extends the privilege, by rule, after hearing.

(c) The temporary registration or trip permit authorized pursuant to this section shall include the diesel fuel permit number issued by the State Board of Equalization. Any temporary registration or trip permit for a diesel power unit which does not include this information shall be invalid and shall subject the operator to citation for violation of subdivision (a) of Section 4000. All fees for registration of commercial motor vehicles shall be due upon the issuance of a citation, unless the person in whose name the permit was issued can produce proof of issuance of a California fuel tax permit prior to the date of the violation.

(d) Any trailer or semitrailer identified in paragraph (1) of subdivision (a) of Section 5014.1 that enters the state without a currently valid license plate issued by California or another jurisdiction shall be immediately subject to full identification fees as specified in subdivision (e) of Section 5014.1.

SEC. 19. Section 4150.1 of the Vehicle Code is amended to read:

4150.1. (a) (1) In addition to the requirements of Section 4150, application for the original registration of a commercial motor vehicle specified in Section 34500 shall include a declaration, made by the owner to the department upon the appropriate form furnished by it, that the owner is aware of the applicable motor carrier safety regulations adopted by the Department of the California Highway Patrol pursuant to Section 34501.

(2) The registered owner, lessee, or designee may make this declaration on a single form for all commercial motor vehicles registered in the registered owner's name.

(b) (1) On a form provided by the department, the registered owner of record, lessee, or the owner's designee shall certify and report the declared gross vehicle weight of any commercial motor vehicle, singly or in combination, in excess of 10,000 pounds declared gross vehicle weight.

(2) A single form may be used or referenced for multiple vehicles of like declared gross vehicle weight.

SEC. 20. Section 4458 of the Vehicle Code is amended to read:



4458. If both license plates or a permanent trailer identification plate are lost by or stolen from the registered owner, the registered owner shall immediately notify a law enforcement agency, and shall immediately apply to the department for new plates in lieu of the plates stolen or lost. The department shall in every proper case, except in the case of plates which are exempt from fees, cause to be issued applicable license plates of a different number and assign the registration number to the vehicle for which the plates are issued.

SEC. 21. Section 5000 of the Vehicle Code is amended to read:

5000. (a) Identification plates issued for trailers, semitrailers, motor-driven cycles, and pole and pipe dollies, and such vehicles as are exempt from the payment of registration fees under this code shall display suitable distinguishing marks or symbols, and the registration numbers assigned to each class of vehicles shall run in a separate numerical series, except that registration numbers assigned to vehicles exempt from the payment of registration fees may run in several separate numerical series.

(b) Vehicles subject to Sections 9400 and 9400.1 shall be issued license plates with suitable distinguishing marks or symbols distinguishing them from other license plates issued.

(c) Vehicles subject to Section 5014.1 shall be issued permanent identification plates with suitable distinguishing marks or symbols that distinguish them from other license plates.

SEC. 22. Section 5011 of the Vehicle Code is amended to read:

5011. (a) Every piece of special construction equipment, special mobile equipment, cemetery equipment, every tow dolly, trailer, semitrailer, and every logging vehicle shall display an identification plate issued pursuant to Section 5014.

(b) Effective January 1, 1986, all existing identification plates are canceled. Owners of vehicles specified in subdivision (a) shall apply for identification plates pursuant to Section 5014 or 5016.5.

SEC. 23. Section 5014 of the Vehicle Code is amended to read:

5014. An application by a person other than a manufacturer or dealer for an identification plate for special construction equipment, cemetery equipment, special mobile equipment, logging vehicle, cotton trailer, or farm trailer as specified in Section 36109, a vehicle that is farmer-owned and used as provided in subdivision (b) of Section 36101, a motor vehicle which is farmer-owned and operated and used as provided in subdivision (a) of Section 36101, an automatic bale wagon operated as specified in subdivision (a) or (b) of Section 36102, or a farm trailer that is owned, rented, or leased by a farmer and is operated and used as provided in subdivision (b) of Section 36010, shall include the following:

(a) The true, full name and the driver's license or identification card number, if any, of the owner.

(b) A statement by the owner of the use or uses which he or she intends to make of the equipment.



(c) A description of the vehicle, including any distinctive marks or features.

(d) A photograph of the vehicle. Only one photograph of one piece of equipment shall be required to be attached to the application when identification plates are to be obtained for more than one piece of equipment, each of which is of the same identical type.

(e) Other information as may reasonably be required by the department to determine whether the applicant is entitled to be issued an identification plate.

(f) A service fee of seven dollars (\$7) for each vehicle. The plates shall be renewed between January 1 and February 4 every five calendar years, commencing in 1986. Any part of the year of the first application constitutes a calendar year. An application for renewal of an identification plate shall contain a space for the applicant's driver's license or identification card number, and the applicant shall furnish that number, if any, in the space provided.

SEC. 24. Section 5014.1 is added to the Vehicle Code, to read:

5014.1. (a) Upon the implementation of the permanent trailer identification plate program, the following applies:

(1) All trailers will receive an identification certificate upon conversion to the permanent trailer identification program. The following trailers, except as provided in Section 5101, may be assigned a trailer identification plate by the department in accordance with this section or an election may be made to keep the current plate on the expiration date of registration:

- (A) Logging dolly.
- (B) Pole or pipe dolly.
- (C) Semitrailer.
- (D) Trailer.
- (E) Trailer bus.

(2) An auxiliary dolly or tow dolly may be assigned a permanent trailer identification plate.

(3) Trailer coaches and park trailers, as described in subdivision (b) of Section 18010 of the Health and Safety Code, are exempted from the permanent trailer identification plate program.

(b) The permanent trailer identification plate shall be in a size and design as determined by the department.

(c) The permanent trailer identification plate shall not expire.

(d) Upon sale or transfer of the commercial trailer or semitrailer, the assigned permanent trailer identification plate remains with the trailer or semitrailer for the life of the vehicle except as provided in Section 5101. Upon transfer of ownership, a new identification certificate shall be issued.

(e) A service fee, sufficient to pay at least the entire actual costs to the department, not to exceed twenty dollars (\$20) shall be assessed by the department upon assigning a permanent trailer identification plate.



(f) A fee of seven dollars (\$7) for substitute permanent trailer identification plates or certificates shall be charged.

(g) All outstanding trailer and semitrailer license plates and registration indicia that were issued under this code on December 31, 2001, shall be considered valid.

(h) Every trailer which is submitted for original registration in this state will be issued a permanent trailer identification plate and identification certificate.

(i) A service fee of ten dollars (\$10) shall be charged for each vehicle renewing its trailer plate or permanent trailer identification plate. These plates shall be renewed on the anniversary date of either the trailer plate expiration date or the date of issuance of the original permanent trailer identification plate, every five calendar years commencing in 2007.

SEC. 25. Section 5015 of the Vehicle Code is amended to read:

5015. (a) The application for an identification plate for special construction equipment, special mobile equipment, cemetery equipment, and any logging vehicle shall be made before that piece of equipment is moved over a highway.

(b) The application for an identification plate for a cotton trailer or a farm trailer as specified in Section 36109, a vehicle that is farmer-owned and used as provided in subdivision (b) of Section 36101, a motor vehicle that is farmer-owned and operated and used as provided in subdivision (a) of Section 36101, or an automatic bale wagon operated as specified in subdivision (a) or (b) of Section 36102 shall be made before any such piece of equipment is moved over a highway.

(c) The application for a permanent trailer identification plate, as described in Section 5014.1, shall be made prior to the equipment or vehicle described in subdivision (a) being moved, towed, or left standing on any highway or in any offstreet public parking facility.

SEC. 26. Section 5016 of the Vehicle Code is amended to read:

5016. Upon proper application and payment of the fees specified in Section 5014.1 or 9261, the department shall issue an identification plate and an identification certificate for the piece of equipment, vehicle, trailer, semitrailer, or implement of husbandry for which application is made.

SEC. 27. Section 5017 of the Vehicle Code is amended to read:

5017. (a) Each identification plate issued under Section 5016 shall bear a distinctive number to identify the equipment, logging vehicle, trailer, semitrailer, or implement of husbandry for which it is issued. The owner, upon being issued a plate, shall attach it to the equipment, logging vehicle, or implement of husbandry for which it is issued and shall carry the identification certificate issued by the department as provided by Section 4454. It shall be unlawful for any person to attach or use the plate upon any other equipment, logging vehicle, trailer, semitrailer, or implement of husbandry. If the



equipment, logging vehicle, or implement of husbandry is destroyed or the ownership thereof transferred to another person, the person to whom the plate was issued shall within 10 days notify the department, on a form approved by the department, that the equipment, logging vehicle, trailer, semitrailer, or implement of husbandry has been destroyed or the ownership thereof transferred to another person.

(b) Upon the implementation of the permanent trailer identification plate program, all trailers except those exempted in paragraph (3) of subdivision (a) of Section 5014.1 may be assigned a single permanent plate for identification purposes. Upon issuance of the plate, it shall be attached to the vehicle pursuant to Sections 5200 and 5201.

(c) An identification certificate shall be issued for each trailer or semitrailer assigned an identification plate. The identification certificate shall contain upon its face, the date issued, the name and residence or business address of the registered owner or lessee and of the legal owner, if any, the vehicle identification number assigned to the trailer or semitrailer, and a description of the trailer or semitrailer as complete as that required in the application for registration of the trailer or semitrailer. When an identification certificate has been issued to a trailer or semitrailer, the owner or operator shall make that certificate available for inspection by a peace officer upon request.

(d) The application for transfer of ownership of a vehicle with a trailer plate or permanent trailer identification plate shall be made within 10 days of sale of the vehicle. A service fee of seven dollars (\$7) shall be charged according to subdivision (c) of Section 9261. The permanent trailer identification certificate is not a certificate of ownership as described in Section 38076.

SEC. 28. Section 5101 of the Vehicle Code is amended to read:

5101. Any person who is the registered owner or lessee of a passenger vehicle, commercial motor vehicle, motorcycle, trailer, or semitrailer registered or certificated with the department, or who makes application for an original registration or renewal registration of that vehicle, may, upon payment of the fee prescribed in Section 5106, apply to the department for environmental license plates, in the manner prescribed in Section 5105, which plates shall be affixed to the passenger vehicle, commercial motor vehicle, motorcycle, trailer, or semitrailer for which registration is sought in lieu of the regular license plates.

SEC. 28.5. Section 5101 of the Vehicle Code is amended to read:

5101. Any person who is the registered owner or lessee of a passenger vehicle, commercial motor vehicle, motorcycle, trailer, or semitrailer registered or certificated with the department, or who makes application for an original registration or renewal registration of that vehicle, may, upon payment of the fee prescribed in Section



5106, apply to the department for environmental license plates, in the manner prescribed in Section 5105, which plates shall be affixed to the passenger vehicle, commercial motor vehicle, motorcycle, trailer, or semitrailer for which registration is sought in lieu of the regular license plates.

SEC. 29. Section 5103 of the Vehicle Code is amended to read:

5103. “Environmental license plates,” as used in this article, means license plates or permanent trailer identification plates that have displayed upon them the registration number assigned to the passenger vehicle, commercial motor vehicle, motorcycle, trailer, or semitrailer for which such registration number was issued in a combination of letters or numbers, or both, requested by the owner or lessee of the vehicle.

SEC. 29.5. Section 5103 of the Vehicle Code is amended to read:

5103. “Environmental license plates,” as used in this article, means license plates or permanent trailer identification plates that have displayed upon them the registration number assigned to the passenger vehicle, commercial motor vehicle, motorcycle, trailer, or semitrailer for which a registration number was issued in a combination of letters or numbers, or both, requested by the owner or lessee of the vehicle.

SEC. 30. Section 5106 of the Vehicle Code is amended to read:

5106. (a) Except as provided in Section 5101.7, in addition to the regular registration fee or a permanent trailer identification fee, the applicant shall be charged a fee of forty dollars (\$40).

(b) In addition to the regular renewal fee or a permanent trailer identification fee for the vehicle to which the plates are assigned, the applicant for a renewal of the plates shall be charged an additional fee of twenty-five dollars (\$25). An applicant with a permanent trailer identification plate shall be charged an annual fee of twenty-five dollars (\$25). However, applicants for renewal of prisoner-of-war special license plates issued under Section 5101.5 shall not be charged the additional renewal fee under this subdivision.

(c) When payment of renewal fees is not required as specified in Section 4000, the holder of any environmental license plate may retain the plate upon payment of an annual fee of twenty-five dollars (\$25). The fee shall be due at the expiration of the registration year of the vehicle to which the environmental license plate was last assigned. However, applicants for retention of prisoner-of-war special license plates issued under Section 5101.5 shall not be charged the additional retention fee under this subdivision.

(d) Notwithstanding Section 9265, the applicant for a duplicate environmental license plate or a duplicate, replacement commemorative 1984 Olympic reflectorized license plate shall be charged a fee of thirty dollars (\$30).

SEC. 31. Section 5108 of the Vehicle Code is amended to read:



5108. Whenever any person who has been issued environmental license plates applies to the department for transfer of the plates to another passenger vehicle, commercial motor vehicle, trailer, or semitrailer a transfer fee of twenty dollars (\$20) shall be charged in addition to all other appropriate fees.

SEC. 32. Section 5204 of the Vehicle Code is amended to read:

5204. (a) Except as provided by subdivisions (b) and (c), a tab shall indicate the year of expiration and a tab shall indicate the month of expiration. Current month and year tabs shall be attached to the rear license plate assigned to the vehicle for the last preceding registration year in which license plates were issued, and, when so attached, the license plate with the tabs shall, for the purposes of this code, be deemed to be the license plate, except that truck tractors, and commercial motor vehicles having a declared gross vehicle weight of 10,001 pounds or more, shall display the current month and year tabs upon the front license plate assigned to the truck tractor or commercial motor vehicle. Vehicles that fail to display current month and year tabs or display expired tabs are in violation of this section.

(b) The requirement of subdivision (a) that the tabs indicate the year and the month of expiration does not apply to fleet vehicles subject to Article 9.5 (commencing with Section 5300) or vehicles defined in Section 468.

(c) Subdivision (a) does not apply when proper application for registration has been made pursuant to Section 4602 and the new indicia of current registration have not been received from the department.

(d) This section is enforceable against any motor vehicle that is driven, moved, or left standing upon a highway, or in an offstreet public parking facility, in the same manner as provided in subdivision (a) of Section 4000.

SEC. 33. Section 5301 of the Vehicle Code is amended to read:

5301. (a) Notwithstanding any other provision of this code and Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code, the registered owner or lessee of a fleet of vehicles consisting of commercial motor vehicles base plated in the state under Article 4 (commencing with Section 8050) of Chapter 4, or passenger automobiles may, upon payment of appropriate fees, apply to the department for permanent license plates or decals and registration cards.

(b) Fleets shall consist of at least 50 motor vehicles to qualify for this program. However, the department may provide for permanent fleet registration through an association providing a combination of fleets of motor vehicles of 250 or more vehicles with no individual fleet of fewer than 25 motor vehicles. An association submitting an application of participation in the program shall provide within the overall application a listing identifying the registered owner of each



fleet and the motor vehicles within each fleet. Identification of the motor vehicles as provided in this article applies to the ownership of the motor vehicles and not the association submitting the application.

(c) With the concurrence of both the department and the participant, the changes made in this section by the enactment of the Commercial Vehicle Registration Act of 2001 shall not affect those participants who were lawfully participating in the permanent fleet registration program on December 31, 2001. Any fleet that qualifies for permanent fleet registration as of December 31, 2001, will continue to count trailers to qualify as a fleet until January 1, 2007. However, five years following the implementation of the permanent trailer identification program, all participants in the permanent fleet registration program shall meet the requirements of this section in order to continue enrollment in the program described in this section.

SEC. 34. Section 5302 of the Vehicle Code is amended to read:

5302. (a) Motor vehicles registered in any state other than California shall not be permitted to participate in this program.

(b) Section 4604 does not apply to vehicles registered under this article.

(c) The department may conduct an audit of the records of each fleet owner or lessee of the vehicle fleets electing to participate in the program. The department shall be fully reimbursed by the fleet owner or lessee for the costs of conducting the audits.

(d) Vehicles registered under this article shall display in a conspicuous place on both the right and the left side of each motor vehicle the name, trademark, or logo of the company. The display of the name, trademark, or logo shall be in letters in sharp contrast to the background and shall be of a size, shape, and color that is readily legible during daylight hours from a distance of 50 feet.

(e) A motor vehicle under 6,000 pounds unladen weight that is owned or leased by a public utility may be registered under this article by displaying the permanent fleet registration number on both the right and left side or on the front and rear of the motor vehicle. The display shall be in sharp contrast to the background and shall be of a size, shape, and color that is readily legible during daylight hours from a distance of 50 feet.

SEC. 35. Section 5305 of the Vehicle Code is amended to read:

5305. In addition to any other fees due for motor vehicles registered pursuant to this article, the department may charge and collect a service fee of one dollar (\$1) for each fleet motor vehicle at the time the initial application is submitted to the department and at the time of registration renewal of each fleet vehicle.

SEC. 36. Section 5902 of the Vehicle Code is amended to read:

5902. (a) Whenever any person has received as transferee a properly endorsed certificate of ownership, that person shall, within 10 days thereafter, forward the certificate with the proper transfer



fee to the department and thereby make application for a transfer of registration. The certificate of ownership shall contain a space for the applicant's driver's license or identification card number, and the applicant shall furnish that number, if any, in the space provided.

(b) An application for a transfer of registration of a commercial motor vehicle specified in Section 34500 shall include a declaration, made by the owner to the department upon the appropriate form furnished by it, that the owner is aware of the applicable motor carrier safety regulations adopted by the Department of the California Highway Patrol pursuant to Section 34501. A registered owner, lessee, or designee may make this declaration on a single form for all commercial motor vehicles registered in the registered owner's name.

(c) An application for a transfer of a commercial motor vehicle that exceeds 10,000 pounds declared gross vehicle weight, as specified in Section 34500, shall include the notification, made by the new registered owner, or that owner's designee, of the declared gross vehicle weight of the commercial motor vehicle singly or in combination. A registered owner, lessee, or that owner's designee, may make this certification on a single form provided by the department for all commercial motor vehicles registered in the owner's name.

SEC. 37. Section 6851 of the Vehicle Code is repealed.

SEC. 38. Section 6851.5 of the Vehicle Code is repealed.

SEC. 39. Section 8000 of the Vehicle Code is amended to read:

8000. The Reciprocity Commission may enter into agreements with foreign jurisdictions that provide for the exemption of fees for commercial vehicles if the foreign jurisdictions provide equivalent exemptions to vehicles registered in this state. The agreements shall be applicable to vehicles that are properly licensed and registered in the foreign jurisdictions. The commission may also enter into agreements that provide for the exemption of regulatory fees which are, or may be imposed, by the Public Utilities Code or the department.

SEC. 40. Section 8054 of the Vehicle Code is amended to read:

8054. (a) Upon the application for transfer of ownership of a fleet of vehicles apportionately registered pursuant to this article, the department shall permit registration in the new owners name without reassessing the registration and vehicle license fees, if the application of the new ownership is for the same fleet interstate operation as the previous owner.

(b) The new owner, lessee, or their designee, shall certify the declared gross vehicle weight of the vehicle or vehicles on a single form for all commercial motor vehicles registered in the fleet owner's or lessee's name. The department shall reassess the weight fees if the declared gross vehicle weight is increased. The weight fees will be assessed at a prorated rate.



SEC. 41. Section 9250.7 of the Vehicle Code is amended to read:

9250.7. (a) (1) A service authority established under Section 22710 may impose a service fee of one dollar (\$1) on all vehicles, except trailers and semitrailers described in subdivision (a) of Section 5014.1, registered to an owner with an address in the county that established the service authority. The fee shall be paid to the department at the time of registration, or renewal of registration, or when renewal becomes delinquent, except on vehicles that are expressly exempted under this code from the payment of registration fees.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(b) The department, after deducting its administrative costs, shall transmit, at least quarterly, the net amount collected pursuant to subdivision (a) to the Treasurer for deposit in the Abandoned Vehicle Trust Fund, which is hereby created. All money in the fund is continuously appropriated to the Controller for allocation to a service authority that has an approved abandoned vehicle abatement program pursuant to Section 22710, and for payment of the administrative costs of the Controller. After deduction of its administrative costs, the Controller shall allocate the money in the Abandoned Vehicle Trust Fund to each service authority in proportion to the revenues received from the fee imposed by that authority pursuant to subdivision (a). If any funds received by a service authority pursuant to this section are not expended to abate abandoned vehicles pursuant to an approved abandoned vehicle abatement program within 90 days of the close of the fiscal year in which the funds were received and the amount of those funds exceeds the amount expended by the service authority for the abatement of abandoned vehicles in the previous fiscal year, a fee imposed pursuant to subdivision (a) shall be suspended for one year, commencing the following January 1.

(c) The fee imposed by a service authority shall remain in effect only for a period of 10 years from the date that the actual collection of the fee commenced.

SEC. 41.5. Section 9250.7 of the Vehicle Code is amended to read:

9250.7. (a) (1) A service authority established under Section 22710 may impose a service fee of one dollar (\$1) on all vehicles, except trailers and semitrailers described in subdivision (d) of Section 5014.1, registered to an owner with an address in the county that established the service authority. The fee shall be paid to the department at the time of registration, or renewal of registration, or when renewal becomes delinquent, except on vehicles that are



expressly exempted under this code from the payment of registration fees.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(b) The department, after deducting its administrative costs, shall transmit, at least quarterly, the net amount collected pursuant to subdivision (a) to the Treasurer for deposit in the Abandoned Vehicle Trust Fund, which is hereby created. All money in the fund is continuously appropriated to the Controller for allocation to a service authority that has an approved abandoned vehicle abatement program pursuant to Section 22710, and for payment of the administrative costs of the Controller. After deduction of its administrative costs, the Controller shall allocate the money in the Abandoned Vehicle Trust Fund to each service authority in proportion to the revenues received from the fee imposed by that authority pursuant to subdivision (a). If any funds received by a service authority pursuant to this section are not expended to abate abandoned vehicles pursuant to an approved abandoned vehicle abatement program that has been in existence for at least two full fiscal years within 90 days of the close of the fiscal year in which the funds were received and the amount of those funds exceeds the amount expended by the service authority for the abatement of abandoned vehicles in the previous fiscal year, a fee imposed pursuant to subdivision (a) shall be suspended for one year, commencing the July 1 following the Controller's determination pursuant to subdivision (e).

(c) Every service authority that imposes a fee authorized by subdivision (a) shall issue a fiscal yearend report to the Controller on or before October 31 summarizing each of the following:

(1) The total revenues received by the service authority for the previous fiscal year.

(2) The total expenditures by each service authority for the previous fiscal year.

(3) The total number of vehicles abated during the previous fiscal year.

(4) The average cost per abatement during the previous fiscal year.

(5) Any additional, unexpended fee revenues for the service authority for the previous fiscal year.

(d) Each service authority that fails to submit the report required pursuant to subdivision (c) by November 30 of each year shall have the fee suspended for one year pursuant to subdivision (b).



(e) On or before January 1, 2002, and on or before January 1 annually thereafter the Controller shall review the fiscal yearend reports submitted by each service authority pursuant to subdivision (c) to determine if fee revenues are being utilized in a manner consistent with the service authority's program. If the use of the fee revenues is not consistent with the service authority's program, or if an excess of fee revenue exists beyond that expended or to be expended as a part of the service authority's program, the Controller shall suspend the authority to collect the fee for one year pursuant to subdivision (b). The Controller shall instruct the Department of Motor Vehicles on or before January 1, 2002, and on or before January 1 annually thereafter, as to the suspension of the collection of a fee by the service authority, provided the service authority has been in existence for at least two full fiscal years and the revenue fee surpluses are in excess of those allowed under this section.

(f) On or before January 1, 2002, and on or before January 1 annually thereafter, the Controller shall prepare and submit to the Legislature a revenue and expenditure summary for each service authority established under Section 22710 that includes, but is not limited to, all of the following:

- (1) Total revenues received by each service authority.
- (2) Total expenditures by each service authority.
- (3) Unexpended revenues for each service authority.
- (4) Total number of vehicle abatements for each service authority.
- (5) The average cost per abatement for each service authority.

(g) The fee imposed by a service authority shall remain in effect until January 1, 2015.

SEC. 42. Section 9250.8 of the Vehicle Code is amended to read:

9250.8. (a) In addition to any other fees specified in this code and the Revenue and Taxation Code, a fee of one dollar (\$1) shall be paid at the time of registration or renewal of registration of every vehicle, except trailers and semitrailers described in subdivision (a) of Section 5014.1, subject to registration under this code, except those vehicles that are expressly exempted under this code from the payment of registration fees.

(b) In addition to the one dollar (\$1) fee, upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles shall pay an additional fee of two dollars (\$2).

SEC. 43. Section 9250.10 of the Vehicle Code is amended to read:

9250.10. (a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, any additional fees imposed by a service authority for freeway emergencies pursuant to Section 2555 of the Streets and Highways Code shall be paid to the department at the time of registration or renewal of registration of



every vehicle, except trailers and semitrailers described in subdivision (a) of Section 5014.1, subject to registration under this code in the subject counties, except those vehicles that are expressly exempted under this code from the payment of registration fees.

(2) In addition to the additional fees imposed for freeway emergencies, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(b) After deducting its administrative costs, the department shall distribute the additional fees collected pursuant to subdivision (a) to the authority in the county in which they were collected.

SEC. 44. Section 9250.13 of the Vehicle Code is amended to read:

9250.13. (a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, a fee of one dollar (\$1) shall be paid at the time of registration or renewal of registration of every vehicle, except trailers and semitrailers described in subdivision (a) of Section 5014.1, subject to registration under this code, except those vehicles that are expressly exempted under this code from the payment of registration fees.

(2) In addition to the one dollar (\$1) fee, upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles shall pay an additional fee of two dollars (\$2).

(b) The money realized pursuant to this section shall be available, upon appropriation by the Legislature, for expenditure to offset the costs of increasing the uniformed field strength of the Department of the California Highway Patrol beyond its 1994 staffing level and those costs associated with maintaining this new level of uniformed field strength and carrying out those duties specified in subdivision (a) of Section 830.2 of the Penal Code.

SEC. 45. Section 9250.14 of the Vehicle Code is amended to read:

9250.14. (a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution by any county board of supervisors, a fee of one dollar (\$1) shall be paid at the time of registration or renewal of registration of every vehicle, except trailers and semitrailers described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate



program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(b) Notwithstanding Section 13340 of the Government Code, the money paid to the Controller is continuously appropriated, without regard to fiscal years, for the administrative costs of the Controller, and for disbursement by the Controller to each county that has adopted a resolution pursuant to subdivision (a), based upon the number of vehicles registered, or whose registration is renewed, to an address within that county.

(c) Except as otherwise provided in this subdivision, money allocated to a county pursuant to subdivision (b) shall be expended exclusively to fund programs that enhance the capacity of local police and prosecutors to deter, investigate, and prosecute vehicle theft crimes. In any county with a population of 200,000 or less, the money shall be expended exclusively for those vehicle theft crime programs and for the prosecution of crimes involving driving under the influence of alcohol or drugs in violation of Section 23152 or 23153, or vehicular manslaughter in violation of Section 191.5 or subdivision (c) of Section 192 of the Penal Code, or any combination of those crimes.

(d) No money collected pursuant to this section shall be expended to offset a reduction in any other source of funds, nor for any purpose not authorized under this section.

(e) Any funds received by a county prior to January 1, 2000, pursuant to this section that are not expended to deter, investigate, or prosecute crimes pursuant to subdivision (c) shall be returned to the Controller, for deposit in the Motor Vehicle Account in the State Transportation Fund. Those funds received by a county after January 1, 2000, shall be expended in accordance with this section.

(f) Each county that has adopted or adopts a resolution pursuant to subdivision (a) shall submit, on or before the 13th day following the end of each quarter, a quarterly expenditure and activity report to the designated statewide Vehicle Theft Investigation and Apprehension Coordinator in the Department of the California Highway Patrol. The coordinator shall compile all county reports and prepare an annual report for dissemination to the Legislature and participating counties.

(g) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted on or before January 1, 2005, deletes or extends that date.

SEC. 45.5. Section 9250.14 of the Vehicle Code is amended to read:

9250.14. (a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution by any county board of supervisors, a fee of one dollar (\$1)



shall be paid at the time of registration or renewal of registration of every vehicle, except trailers and semitrailers described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(b) Notwithstanding Section 13340 of the Government Code, the money paid to the Controller is continuously appropriated, without regard to fiscal years, for the administrative costs of the Controller, and for disbursement by the Controller to each county that has adopted a resolution pursuant to subdivision (a), based upon the number of vehicles registered, or whose registration is renewed, to an address within that county.

(c) Except as otherwise provided in this subdivision, money allocated to a county pursuant to subdivision (b) shall be expended exclusively to fund programs that enhance the capacity of local police and prosecutors to deter, investigate, and prosecute vehicle theft crimes. In any county with a population of 250,000 or less, the money shall be expended exclusively for those vehicle theft crime programs and for the prosecution of crimes involving driving while under the influence of alcohol or drugs, or both, in violation of Section 23152 or 23153, or vehicular manslaughter in violation of Section 191.5 or subdivision (c) of Section 192 of the Penal Code, or any combination of those crimes.

(d) No money collected pursuant to this section shall be expended to offset a reduction in any other source of funds, nor for any purpose not authorized under this section.

(e) Any funds received by a county prior to January 1, 2000, pursuant to this section that are not expended to deter, investigate, or prosecute crimes pursuant to subdivision (c) shall be returned to the Controller, for deposit in the Motor Vehicle Account in the State Transportation Fund. Those funds received by a county after January 1, 2000, shall be expended in accordance with this section.

(f) Each county that has adopted or adopts a resolution pursuant to subdivision (a) shall submit, on or before the 13th day following the end of each quarter, a quarterly expenditure and activity report to the designated statewide Vehicle Theft Investigation and Apprehension Coordinator in the Department of the California Highway Patrol. The coordinator shall compile all county reports and



prepare an annual report for dissemination to the Legislature and participating counties.

(g) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted on or before January 1, 2005, deletes or extends that date.

SEC. 46. Section 9250.19 of the Vehicle Code is amended to read:

9250.19. (a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution pursuant to this subdivision by any county board of supervisors, a fee of one dollar (\$1) shall be paid at the time of registration, renewal, or supplemental application for apportioned registration pursuant to Article 4 (commencing with Section 8050) of Chapter 4 of every vehicle, except trailers and semitrailers described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(3) A resolution adopted pursuant to paragraph (1) shall include findings as to the purpose of, and the need for, imposing the additional registration fee, and shall identify the date after which the fee shall no longer be imposed.

(b) Notwithstanding Section 13340 of the Government Code, the money paid to the Controller pursuant to subdivision (a) is continuously appropriated, without regard to fiscal years, for disbursement by the Controller to each county that has adopted a resolution pursuant to subdivision (a), based upon the number of vehicles registered, or whose registration is renewed, to an address within that county, or supplemental application for apportioned registration, and, upon appropriation by the Legislature, for the administrative costs of the Controller incurred under this section.

(c) Money allocated to a county pursuant to subdivision (b) shall be expended exclusively to fund programs that enhance the capacity of local law enforcement to provide automated mobile and fixed location fingerprint identification of individuals who may be involved in driving under the influence of alcohol or drugs in violation of Section 23152 or 23153, or vehicular manslaughter in violation of Section 191.5 of the Penal Code or subdivision (c) of Section 192 of the Penal Code, or any combination of those and other vehicle-related crimes, and other crimes committed while operating a motor vehicle.



(d) The data from any program funded pursuant to subdivision (c) shall be made available by the local law enforcement agency to any local public agency that is required by law to obtain a criminal history background of persons as a condition of employment with that local public agency. A local law enforcement agency that provides the data may charge a fee to cover its actual costs in providing that data.

(e) (1) No money collected pursuant to this section shall be used to offset a reduction in any other source of funds for the purposes authorized under this section.

(2) Funds collected pursuant to this section, upon recommendation of local or regional Remote Access Network Boards to the Board of Supervisors, shall be used exclusively for the purchase, by competitive bidding procedures, and the operation of equipment which is compatible with the Department of Justice's Cal-ID master plan, as described in Section 11112.2 of the Penal Code, and the equipment shall interface in a manner that is in compliance with the requirement described in the Criminal Justice Information Services, Electronic Fingerprint Transmission Specification, prepared by the Federal Bureau of Investigation and dated August 24, 1995.

(f) The fee imposed under this section shall remain in effect only for a period of five years from the date that the actual collection of the fee commences, unless a later enacted statute deletes or extends that period.

SEC. 47. Section 9260 of the Vehicle Code is amended to read:

9260. (a) The fee for a temporary registration issued under Section 4004 is one-quarter of the annual fees in Division 3 (commencing with Section 4000) of this code and Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code, for the period that the vehicle is to be operated in this state.

(b) The fee for a trip permit issued under Section 4004 is forty-five dollars (\$45) for each commercial motor vehicle.

SEC. 48. Section 9261 of the Vehicle Code is amended to read:

9261. (a) A service fee of seven dollars (\$7) shall be paid for an identification plate issued pursuant to Section 5014. Publicly owned special construction equipment, cemetery equipment, special mobile equipment, logging vehicles, and implements of husbandry are exempt from the service charge.

(b) A service fee of seven dollars (\$7) shall be paid for an identification plate issued pursuant to Section 5016.5.

(c) Upon application for the transfer of interest of an owner in a piece of equipment, vehicle, or implement of husbandry identified pursuant to Section 5014, the transferee shall pay a fee of seven dollars (\$7).

(d) A fee of three dollars (\$3) shall be paid upon the renewal of an identification plate issued pursuant to Section 5014 or 5016.5.



SEC. 49. Section 9400 of the Vehicle Code is amended to read:

9400. Except as provided in Section 9400.1, and in addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of any commercial motor vehicle singly, or in combination, that operates with an unladen weight of 10,000 pounds or less. Weight fees for pickup trucks are calculated under this section. Whenever a camper is temporarily attached to a motor vehicle designed to transport property, the motor vehicle shall be subject to the fees imposed by this section. The camper shall be deemed to be a load, and fees imposed by this section upon the motor vehicle shall be based upon the unladen weight of the motor vehicle, exclusive of the camper.

(a) For any electric vehicle designed, used, or maintained as described in this section, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 6,000 lbs.	\$ 87
6,000 lbs. or more but less than 10,000 lbs.	266
10,000 lbs. or more	358

(b) For any motor vehicle having not more than two axles and designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 3,000 lbs.	\$ 8
3,000 lbs. to and including 4,000 lbs.	24
4,001 lbs. to and including 5,000 lbs.	80
5,001 lbs. to and including 6,000 lbs.	154
6,001 lbs. to and including 7,000 lbs.	204
7,001 lbs. to and including 8,000 lbs.	257
8,001 lbs. to and including 9,000 lbs.	308
9,001 lbs. to and including 10,000 lbs.	360

(c) For any motor vehicle having three or more axles designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
2,000 lbs. to and including 3,000 lbs.	\$ 43
3,001 lbs. to and including 4,000 lbs.	77



4,001 lbs. to and including 5,000 lbs.	154
5,001 lbs. to and including 6,000 lbs.	231
6,001 lbs. to and including 7,000 lbs.	308
7,001 lbs. to and including 8,000 lbs.	385
8,001 lbs. to and including 9,000 lbs.	462
9,001 lbs. to and including 10,000 lbs.	539

(d) This section is not applicable to any vehicle that is operated or moved over the highway exclusively for the purpose of historical exhibition or other similar noncommercial purpose.

(e) The fee changes effected by this section apply to (1) initial or original registration on or after January 1, 1995, and prior to December 31, 2001, of any commercial vehicle never before registered in this state and (2) to renewal of registration of any commercial vehicle whose registration expires on or after January 1, 1995, and prior to December 31, 2001.

(f) Commercial vehicles, other than those specified in Section 9400.1, with an initial registration or renewal of registration that is due on or after December 31, 2001, are subject to the payment of fees specified in this section.

SEC. 49.5. Section 9400 of the Vehicle Code is amended to read:

9400. Except as provided in Section 9400.1, and in addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of any commercial motor vehicle singly, or in combination, that operates with an unladen weight of 10,000 pounds or less. Weight fees for pickup trucks are calculated under this section. Whenever a camper is temporarily attached to a motor vehicle designed to transport property, the motor vehicle shall be subject to the fees imposed by this section. The camper shall be deemed to be a load, and fees imposed by this section upon the motor vehicle shall be based upon the unladen weight of the motor vehicle, exclusive of the camper.

(a) For any electric vehicle designed, used, or maintained as described in this section, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 6,000 lbs.	\$ 87
6,000 lbs. or more but less than 10,000 lbs.	266
10,000 lbs. or more	358

(b) For any motor vehicle having not more than two axles and designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid according to the following schedule:



Unladen Weight	Fee
Less than 3,000 lbs.	\$ 8
3,000 lbs. to and including 4,000 lbs.	24
4,001 lbs. to and including 5,000 lbs.	80
5,001 lbs. to and including 6,000 lbs.	154
6,001 lbs. to and including 7,000 lbs.	204
7,001 lbs. to and including 8,000 lbs.	257
8,001 lbs. to and including 9,000 lbs.	308
9,001 lbs. to and including 10,000 lbs.	360

(c) For any motor vehicle having three or more axles designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
2,000 lbs. to and including 3,000 lbs.	\$ 43
3,001 lbs. to and including 4,000 lbs.	77
4,001 lbs. to and including 5,000 lbs.	154
5,001 lbs. to and including 6,000 lbs.	231
6,001 lbs. to and including 7,000 lbs.	308
7,001 lbs. to and including 8,000 lbs.	385
8,001 lbs. to and including 9,000 lbs.	462
9,001 lbs. to and including 10,000 lbs.	539

(d) This section is not applicable to any vehicle that is operated or moved over the highway exclusively for the purpose of historical exhibition or other similar noncommercial purpose.

(e) (1) Except as provided in paragraph (2), in addition to the fees set forth in subdivisions (b) and (c), a Cargo Theft Interdiction Program Fee of three dollars (\$3) shall be paid at the time of initial or original registration or renewal of registration of each motor vehicle subject to weight fees under Section 9400.1.

(2) This subdivision does not apply to vehicles used or maintained for the transportation of persons for hire, compensation or profit, pickup trucks, utility trailers, and tow trucks.

(3) For vehicles registered under Article 4 (commencing with Section 8050) of Chapter 4, the fee imposed under this subdivision shall be apportioned as required for registration fees under that article.

(4) Funds collected pursuant to the Cargo Theft Interdiction Program shall be transferred to the Motor Carriers Safety Improvement Fund.



(f) The fee changes effected by this section apply to (1) initial or original registration on or after January 1, 1995, and prior to December 31, 2001, of any commercial vehicle never before registered in this state and (2) to renewal of registration of any commercial vehicle whose registration expires on or after January 1, 1995, and prior to December 31, 2001.

(g) Commercial vehicles, other than those specified in Section 9400.1, with an initial registration or renewal of registration that is due on or after December 31, 2001, are subject to the payment of fees specified in this section.

SEC. 50. Section 9400.1 is added to the Vehicle Code, to read:

9400.1. In addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of commercial motor vehicles operated either singly or in combination with a declared gross vehicle weight of 10,001 pounds or more. Pickup truck weight fees are not calculated under this section.

Gross Vehicle Weight Range	Fee
10,001–15,000	\$ 257
15,001–20,000	353
20,001–26,000	435
26,001–30,000	552
30,001–35,000	648
35,001–40,000	761
40,001–45,000	837
45,001–50,000	948
50,001–54,999	1,039
55,000–60,000	1,173
60,001–65,000	1,282
65,001–70,000	1,398
70,001–75,000	1,650
75,001–80,000	1,700

The fee changes effected by this section apply to (1) initial or original registration on and after December 31, 2001, of any commercial motor vehicle operated either singly or in combination with a declared gross vehicle weight of 10,001 pounds or more and (2) to renewal of registration of any commercial motor vehicle operated either singly or in combination, with a declared gross vehicle weight of 10,001 pounds or more for which registration expires on or after December 31, 2001.

SEC. 51. Section 9406 of the Vehicle Code is amended to read:

9406. Alterations or additions to registered vehicles for which fees have been paid under Section 9400 or 9400.1 placing the vehicles in



weight fee classifications under Section 9400 or 9400.1 greater than the weight fees previously paid shall be reported to the department and at the same time the difference between the weight fee previously paid, reduced as provided in Section 9407, and the greater weight fee, reduced as provided in Section 9407, shall be paid to the department upon the operation of the vehicles in the greater weight fee classification under Section 9400 or 9400.1.

SEC. 52. Section 9406.1 is added to the Vehicle Code, to read:

9406.1. Prior to operation of a vehicle at a declared gross vehicle weight greater than reported to, and registered by, the department, the owner shall make application to the department and pay all appropriate fees.

SEC. 53. Section 9408 of the Vehicle Code is amended to read:

9408. (a) Whenever any registered commercial vehicle, including, but not limited to, any commercial vehicle operating in California with apportioned registration, for which fees have been paid under Section 9400 or 9400.1 is withdrawn from service in this state before the expiration of the registration, the owner may surrender the registration card and license plates previously issued for the vehicle to the department and, within 90 days of the time of withdrawal, make application for the registration of another commercial vehicle which is subject to the fees specified in Section 9400 or 9400.1. If the vehicle that is withdrawn from service is operating in this state under Article 4 (commencing with Section 8050 of Chapter 4, credit for any unused fees paid under Section 9400 or 9400.1 may be applied only to a commercial vehicle concurrently added to the same apportioned fleet.

(b) Under the circumstances described in subdivision (a), and upon a proper showing of the facts, the department upon determining the fees payable under this division shall allow as credit thereon the unexpired portion, as of the month of the application, of the fee paid under Section 9400 or 9400.1 for the previous registration, but, in addition to fees otherwise payable under this division less any credit, shall charge and collect an additional fee of two dollars (\$2) for issuance of the new registration.

SEC. 54. Section 9554.2 is added to the Vehicle Code, to read:

9554.2. Upon the operation of a commercial motor vehicle at a greater gross vehicle weight than had been reported to and registered by the department, a new registration application shall be made to the department. The greater declared gross vehicle weight fee as required in Section 9400.1 and any penalties defined in this code shall be paid to the department.

SEC. 55. Section 27910 is added to the Vehicle Code, to read:

27910. The Department of the California Highway Patrol shall initiate a 12-month study to determine an effective means to enforce the provisions of the Commercial Vehicle Registration Act of 2001. The Department of the California Highway Patrol, after consultation



with representatives from the Department of Transportation, the Board of Equalization, the Department of Motor Vehicles, and the commercial vehicle industry, shall provide, on or before July 1, 2003, recommendations to the Legislature for actions to be taken to ensure compliance with that act.

SEC. 56. Section 36010 of the Vehicle Code is amended to read:

36010. A “farm trailer” is either of the following:

(a) A trailer or semitrailer owned and operated by a farmer in the conduct of agricultural operations, and used exclusively to transport agricultural products upon the highway to the point of first handling and return.

(b) A trailer or semitrailer equipped with rollers on the bed, with a frame not taller than 10 inches high, and with a gross vehicle weight rating of 10,000 pounds or less, that is owned, rented, or leased by a farmer and operated by that farmer in the conduct of agricultural operations, used exclusively to transport fruit and vegetables upon the highway to the point of first handling and return, and that was manufactured and in use prior to January 1, 1997. These vehicles may also be operated on the highways without a load for the purposes of delivering a rented or leased vehicle to the renting or leasing farmer’s farm, or returning empty to the owner’s premises.

SEC. 57. Section 36109 of the Vehicle Code is amended to read:

36109. “Farm trailers,” as defined in Section 36010, having a gross weight of 10,000 pounds or less, are exempt from registration except that Section 5014 shall apply to such trailers.

SEC. 58. Section 42030.1 is added to the Vehicle Code, to read:

42030.1. (a) Every person convicted of a violation of any declared gross vehicle weight limitation provision of this code, shall be punished by a fine that equals the amounts specified in the following table:

Pounds in Excess of the Declared Gross Vehicle Weight	Fine
1,001–1,500	\$ 250
1,501–2,000	300
2,001–2,500	350
2,501–3,000	400
3,001–3,500	450
3,501–4,000	500
4,001–4,500	550
4,501–5,000	600
5,001–6,000	700
6,001–7,000	800
7,001–8,000	900



8,001–10,000	1,000
10,001 and over	2,000

(b) No part of the penalties prescribed by this section shall be suspended for a conviction of any of the following:

(1) Section 40001 for requiring operation of a vehicle upon a highway in violation of any provision referred to in this section.

(2) Any provision referred to in this section when a second or subsequent conviction of a violation thereof occurs within three years immediately preceding the violation charged.

SEC. 59. On or before January 1, 2003, and annually thereafter, the Department of Motor Vehicles, in consultation with the Department of the California Highway Patrol, the Department of Transportation, the Board of Equalization, and the commercial vehicle industry, shall review and report to the Legislature its findings and, if applicable, make any recommendation as to the necessary adjustments in the fee schedule, to ensure that revenue neutrality is obtained and maintained for all affected entities and funds, and to ensure that the revised fee schedule affects the commercial vehicle industry in as equitable a manner as possible.

SEC. 60. Section 28.5 of this bill incorporates amendments to Section 5101 of the Vehicle Code proposed by both this bill and AB 1515. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, but this bill becomes operative first, (2) each bill amends Section 5101 of the Vehicle Code, and (3) this bill is enacted after AB 1515, in which case Section 5101 of the Vehicle Code, as amended by Section 28 of this bill, shall remain operative only until the operative date of AB 1515, at which time Section 28.5 of this bill shall become operative.

SEC. 61. Section 29.5 of this bill incorporates amendments to Section 5103 of the Vehicle Code proposed by both this bill and AB 1515. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, but this bill becomes operative first, (2) each bill amends Section 5103 of the Vehicle Code, and (3) this bill is enacted after AB 1515, in which case Section 5103 of the Vehicle Code, as amended by Section 29 of this bill, shall remain operative only until the operative date of AB 1515, at which time Section 29.5 of this bill shall become operative.

SEC. 62. Section 41.5 of this bill incorporates amendments to Section 9250.7 of the Vehicle Code proposed by both this bill and SB 1333. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, but this bill becomes operative first, (2) each bill amends Section 9250.7 of the Vehicle Code, and (3) this bill is enacted after SB 1333, in which case Section 9250.7 of the Vehicle Code, as amended by Section 41 of this bill, shall remain operative only until the operative date of SB 1333, at which time Section 41.5 of this bill shall become operative.



SEC. 63. Section 45.5 of this bill incorporates amendments to Section 9250.14 of the Vehicle Code proposed by both this bill and AB 2227. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, (2) each bill amends Section 9250.14 of the Vehicle Code, and (3) this bill is enacted after AB 2227, in which case Section 9250.14 of the Vehicle Code, as amended by Section 45 of this bill, shall remain operative only until the operative date of AB 2227, at which time Section 45.5 of this bill shall become operative.

SEC. 64. Section 49.5 of this bill incorporates amendments to Section 9400 of the Vehicle Code proposed by both this bill and AB 2749. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, but this bill becomes operative first, (2) each bill amends Section 9400 of the Vehicle Code, and (3) this bill is enacted after AB 2749, in which case Section 9400 of the Vehicle Code, as amended by Section 49 of this bill, shall remain operative only until the operative date of AB 2749, at which time Section 49.5 of this bill shall become operative.

SEC. 65. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 66. The sum of three million five hundred twenty thousand eight hundred nine dollars (\$3,520,809) is hereby appropriated to the Department of Motor Vehicles from the Motor Vehicle Account in the State Transportation Fund for purposes of implementing this act.

SEC. 67. This act shall become operative for vehicle registrations that expire on or after December 31, 2001.

SEC. 68. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

If California does not enact this act during this legislative session, California stands to lose as much as \$126 million in truck and trailer revenues. Of equal concern is the fact that if California is no longer a member of the IRP, many trucking fleet operators may be encouraged to relocate their operations outside of this state, meaning the loss of valuable jobs. In order to protect California's interests, it is vital that this act go into immediate effect.

